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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,866	01/29/2001	John A. Landry	200304438-2	7783

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EXAMINER

CHUONG, TRUC T

ART UNIT PAPER NUMBER

2179

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/771,866

Applicant(s)

LANDRY ET AL.

Examiner

Truc T. Chuong

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This communication is responsive to the communication, filed 10/03/05.
2. Claims 1-27 are pending in this application. Claims 1, 12, and 21 are independent claims.

This action is made non-final.

3. In view of the Appeal Brief filed on 10/03/05, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-17, and 19-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhang et al. (U.S. Pub. No. 2002/0085835 A1).

As to claims 1 and 21, Zhang teaches a computing system, comprising:

an operating system (a portable computer system S includes an operating system, Abstract, e.g., [0017], and fig. 1);

main processor to run the operating system (processor 103 of the computer system S, e.g., [0017], and fig. 1);

a system monitor coupled to the main processor (main display panel 146, e.g., [0018], and fig. 1); and

a user feedback mechanism comprising an operating system interface coupled to the operating system (MP3 Player 700 couples to the computer system S, e.g., [0030], and fig. 7), a basic input output system (BIOS) interface coupled to a BIOS of the computing system (BISO, e.g., [0030], and fig. 7) and an advanced configuration and power interface (ACPI) interface coupled to ACPI logic of the computing system (ACPI, e.g., [0030]), wherein the user feedback mechanism is configured to monitor a plurality of operating conditions of the computing system and to alert a user of the computing system to the plurality of operating conditions {MP3 Player works as an independent operating system of the portable computer system S having a mini-display panel to display control status condition (see Abstract, and [0030]), an interrupt handler for the MP3 Player to initialize the appropriate interrupt service ([0030-0031], [0035]), and power states ([0037]), which can be considered as operating conditions of the computer operating system to get the user attention or to be aware/alert of the working conditions}, wherein

the user feedback mechanism comprises a display panel to display the plurality of operating condition messages independently of the operating system (MP3 Player works as an independent operating system of the portable computer system S, and it can handle some functions without support from the operating system of system S, e.g., [0030-0031], and figs. 1 & 7).

As to claim 2, Zhang teaches the computing system of claim 1, the display panel comprising a liquid crystal display (LCD) panel (LCD, [0019]).

As to claims 3 and 22, Zhang teaches the computing system of claim 21, the user feedback mechanism further comprising:

a controller coupled to the display panel to monitor a plurality of operating condition signals corresponding to the plurality of operating conditions and to communicate the plurality of operating conditions to the display panel independently of the operating system (MP3 Player works as an independent operating system of the portable computer system S, and it can handle some functions without support from the operating system of system S, e.g., [0030-0031], and figs. 1 & 7).

As to claim 4, Zhang teaches the computing system of claim 3, the user feedback mechanism further comprising:

a display panel interface driver to pass the plurality of operating conditions to the controller (e.g., [0030-0031], [0035], and fig. 7).

As to claim 5, Zhang teaches the computing system of claim 1, the user feedback mechanism further comprising:

a display panel interface coupled to the display panel for an application to communicate with the display panel (e.g., figs. 1 & 7).

As to claim 6, Zhang teaches the computing system of claim 1, wherein the display panel displays a plurality of instructions to the user for the user to cure the plurality of operating conditions (MP3 Player works as an independent operating system of the portable computer system S having a mini-display panel to display control status condition (see Abstract, and [0030]), an interrupt handler for the MP3 Player to initialize the appropriate interrupt service ([0030-0031], [0035]), and power states ([0037]), which can be considered as operating conditions of the computer operating system to get the user attention or to be aware/alert of the working conditions).

As to claim 7, Zhang teaches the computing system of claim 1, wherein the user feedback mechanism monitors an operating condition of the plurality of operating conditions after system initialization by processing data from the operating system into a more meaningful form (e.g., [0030-0031], [0035]).

As to claim 8, Zhang teaches the computing system of claim 1, wherein the BIOS interface is configured to monitor the plurality of operating conditions during system initialization of the computing system by bypassing the operating system (MP3 Player works as an independent operating system of the portable computer system S, and it can handle some functions without support from the operating system of system S, e.g., [0030-0031], and figs. 1 & 7).

As to claims 9 and 25, Zhang teaches the computing system of claim 8, wherein the plurality of operating conditions comprises a plurality of primary device states for a plurality of primary devices of the computing system (e.g., [0030-0031], figs. 1 and 7).

As to claim 10, Zhang teaches the computing system of claim 1, the user feedback mechanism comprising: a safety button configured to signal a power supply to power off the computing system if the computing system is not powered off by the operating system (interrupt handling, e.g., [0030-0031]).

As to claims 11 and 16, Zhang teaches the computing system of claim 1, the user feedback mechanism comprising: a plurality of fault tolerant client software components to monitor the plurality of operating conditions after system initialization of the computing system (e.g., [0030-0031]).

As to claims 12-14, they are method claims of system claims 1, 11 and 10. Note the rejections of claims 1, 11-10 above respectively.

As to claim 15, Zhang teaches the step of monitoring a connection state of the computing system to the Internet (Internet, e.g., [0023]).

As to claim 17, Zhang inherently shows the method of claim 12, the monitoring step comprising the step of: monitoring an e-mail notification message to the computing system (email, e.g., [0023]).

As to claims 19-20, they are method claims of system claims 7-8. Note the rejections of claims 7-8 above respectively.

As to claim 23-24, they are similar in scope to claims 13 and 10; therefore, rejected under similar rationale as claims 13 and 10 above.

As to claims 26-27, they are similar in scope to claims 7-8; therefore, rejected under similar rationale.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang et al. (U.S. Pub. No. 2002/0085835 A1).

As to claim 18, Zhang teaches the system capable of getting information from the Internet, Network, or email (e.g., [0023]); however, Zhang does not clearly teach monitoring atomic time from a network server coupled to the computing system. It is well known and would have been obvious to a person of ordinary skill in the art at the time of the invention to establish the connection between a user computer with a Network Server for dynamically updating information such as system time, time zone, up-to-date information, etc. to provide the user with latest/accurate data information.

***Response to Arguments***

8. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.



*Conclusion*

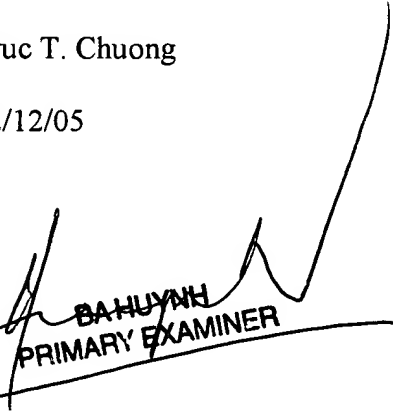
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

12/12/05

  
BA HUYNH  
PRIMARY EXAMINER